

**DATE:** June 3, 2004

**TO:** Region Engineers  
Region Delivery Engineers  
TSC Managers  
Resident/Project Engineers  
Region Construction Engineers

**FROM:** Larry E. Tibbits  
Chief Operations Officer

John C. Friend  
Engineer of Delivery

**SUBJECT:** Bureau of Highway Instructional Memorandum 2004-18  
Davis-Bacon Act Compliance - Minimum Wage Rate Interviews  
and Certified Payrolls (Supersedes BOH IM 2003-07)

Resident/project engineers are required to conduct annual wage rate interviews on all federally funded projects during the construction season. Contractors are requested to instruct their employees to cooperate during the interviews and provide the requested information. An interview of each employee is not required; a random sample is acceptable. These interviews are to assure that all laborers and mechanics are paid wage rates and fringe benefits as specified in the project proposal.

Please check the project proposal to determine if the project is federally funded and the Davis-Bacon Act is applicable. Also, check "Notice to Bidders" for the certified payrolls requirement.

The interview period this year will span the entire 2004 construction season. However, on pavement marking, landscaping projects, and other seasonal projects, contractors' and subcontractors' employees are to be interviewed during their respective work periods.

Resident and project engineers are to examine and compare the Minimum Wage Rate Interview Sheet (Form 1156, attached) with the certified payroll and basic wage rates published in the project proposal. Make sure that the attached Form 1156 (5/00) is used and properly completed. This form is also available through the MDOT interchange.

Any deficiencies or discrepancies (i.e., an employee is not paid the prevailing wages and fringe benefits, as stated in the proposal) must be resolved by the resident/project engineer. If no resolution is reached within 30 days from the date of notification to the contractor, it should be brought to the attention of the region delivery/operation/field engineer. If the problem still cannot be resolved, the Region Services Unit of the Construction and Technology Support Area,

and the Contract Services Division (Bureau of Finance and Administration) should be notified so further action can be taken.

Certified weekly payrolls and minimum wage rate interviews are not required on state funded projects. However, on all state projects an original and one copy of Form 1199 (Weekly Employment Report) must be submitted to the resident/project engineer when projects are \$10,000 or more in value and three or more people are employed.

Resident/project engineers are requested to give a copy of this memorandum to local government engineers so they are also aware of the Davis-Bacon Act and wage compliance requirement, as they are applicable for federally funded local government projects.

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Chief Operations Officer

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Engineer of Delivery

BOHD:C/T:GCT:kab

Subject Index: Davis-Bacon Labor Compliance

Attachment

cc: C & T Support Area Staff  
Real Estate Support Area, M. DeLong  
Design Support Area, M. VanPortfleet  
Maintenance Support Area, C. Roberts  
Traffic & Safety Support Area, J. Culp  
C & T Support Area, B. O'Brien  
T. Anderson  
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